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Attorneys for Defendant
**PRUDENTIAL INSURANCE
COMPANY OF AMERICA**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

GAY WATERMAN,
Plaintiff,

v.

PRUDENTIAL INSURANCE COMPANY
OF AMERICA and DOES 1 to 50, Inclusive,
Defendants.

Case No.: C06-03777 MJJ

**STIPULATED MOTION AND ORDER
FOR DISMISSAL WITHOUT PREJUDICE
PURSUANT TO Fed.R.Civ.P. 41(a)(1)
GRANTED**

Plaintiff, Gay Waterman, by and through her attorneys, Joseph John Turri of Insurance Litigators & Counselors, and Defendant Prudential Insurance Company of America, by and through its attorney's, Adrienne C. Publicover of Wilson, Elser, Moskowitz, Edelman & Dicker, respectfully move this Court pursuant to Fed.R.Civ.P. 41 (a)(1) for a voluntary dismissal of this

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1 action without prejudice. This relief is properly sought as the Defendant has not answered
 2 though served with Plaintiff's Summons and Complaint.

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 4 Dated: September 12, 2006

INSURANCE LITIGATORS & COUNSELORS

By: 

Joseph J. Turri
 Attorneys for Plaintiff
 GAY WATERMAN

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 9 Dated: September 12, 2006

WILSON, ELSER, MOSKOWITZ,
 EDELMAN & DICKER LLP

By: 

Adrienne C. Publicover
 Michael K. Brisbin
 Attorneys for Defendant
 PRUDENTIAL INSURANCE
 COMPANY OF AMERICA

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 16 ORDER

17 This matter having come on before the Court upon the Stipulated Motion of the plaintiff
 18 and defendant for voluntary dismissal of this action without prejudice pursuant to FRCP
 19 41(a)(1), and the Court having reviewed said stipulated motion, this order, and finding no answer
 20 by the defendant, and otherwise being fully advised, now, therefore, it is hereby

21 ORDERED that this matter be and hereby is, dismissed without prejudice, and without
 22 costs or fees to any party.

23
 24 Dated: 9/19, 2006

By: 

Honorable Martine J. Jenkins
 United States District Judge